

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12041 & 12047 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

HASMUKH RAMNIKLAL DAVE

Versus

DISTRICT COLLECTOR

Appearance:

1. Special Civil Application No. 12041 & 12047 of 2002
MR RC JANI for Petitioner No. 1
Ms.D.S.Pandit, AGP for Respondents
-

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 20/12/2002

ORAL(COMMON)JUDGEMENT

Rule. Ms.D.S.Pandit, Ld.AGP appears and waives

service of rule on behalf of respondents. With the consent of parties matters are taken up for final hearing today.

2. Mr.Jani, Ld.counsel for petitioners as well as Ld.AGP both agree on the point that the issues involved in these matters are covered by the decision of this court in Spl.C.A.No.7190\02 and allied matters decided on 28/11/02 - 4/12/2002.

3. Therefore the rights of the parties shall be governed accordingly. Since the petitioners were holding valid licences and inspite of the same the decision is taken for cancellation of licences on account of instructions, the impugned order for cancellation of licences is quashed and the petitioners shall be entitled work as wholesale dealers of kerosene upto the period of validity of licences prior to its cancellation. Both the petitions are allowed accordingly to the aforesaid extent. Rule in each petition is partly made absolute. There shall be no order as to costs.

20.12.2002 (JAYANT PATEL, J)